



Patitioner's Docket No. MPI03-015P1RNOMNIM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Louise M. Kelly, et al.		
Application No.:	10/772,636	Group No.:	1646
Filed:	February 5, 2004	Examiner:	Howard, Zachary C.
For:	METHODS AND COMPOSITIONS FOR TREATING HEMATOLOGICAL DISORDERS USING 9118, 990, 17662, 81982, 630, 21472, 17692, 19290, 21620, 21689, 28899, 53659, 64549, 9465, 23544, 7366, 27417, 57259, 21844, 943, 2061, 5891, 9137, 13908, 14310, 17600, 25584, 27824, 28469, 38947, 53003, 965, 56639, 9661, 16052, 1521, 6662, 13913, 12405 or 5014		

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**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement submitted herewith is being filed:
- ☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**OR**

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

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Date: May 2, 2005

Sean Hunziker

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**FEE PAYMENT**

2. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

Fee due \$0.00

**METHOD OF PAYMENT OF FEE**

3. ☐ Attached is a check in the amount of \$ \_\_\_\_\_.
- ☐ Charge Account No. 501668 in the amount of \$0.00.
- ☐ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

May 2, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By *Mario Cloutier*  
Mario Cloutier  
Limited Recognition Under 37 C.F.R. §11.9(b)  
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**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements;
2. ☒ Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449);
3. ☒ Copies of Listed Information Items Accompanying This Statement (AA-AB, BA-BC, CA-CU);

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

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**Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.


The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

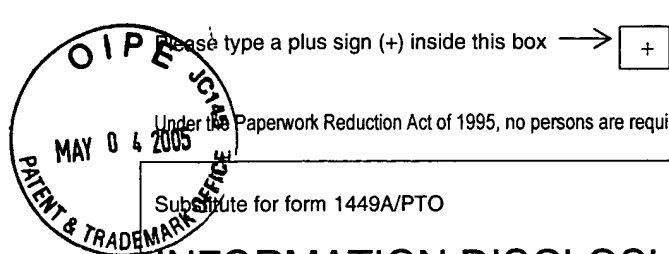
**Copies of Listed Information Items Accompanying This Statement**

4. Legible copies of items (AA-AB, BA-BC, CA-CU) listed in Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

May 2, 2005

MILLENNIUM PHARMACEUTICALS, INC.

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Cambridge, MA 02139  
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Facsimile - 617-551-8820



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/772,636
				Filing Date	February 5, 2004
				First Named Inventor	Louise M. Kelly, et al.
				Group Art Unit	1646
				Examiner Name	Howard, Zachary C.
Sheet	1	of	1	Attorney Docket Number	MPI03-015PIRNOMNIM

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Kind Code <sup>2</sup> Number	(if known)			
	AA	6,607,879	B1	Incyte Corporation	08-19-2003	SEQ. 1474, g755652, Entire document
	AB	2003/0232054	A1	Y. Tom Tang, et al.	12-18-2003	Human Polypeptide #14, SEQ ID 722, Entire document

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Code <sup>5</sup> Office <sup>3</sup> known)	Kind	Number <sup>4</sup> (if				
	BA	WO	01/55437	A2	HYSEQ, Inc.	08-02-2001	SEQ ID 722, pp. 1-99, 132, 157-161, Seq. Listing pp.631-632	
	BB	WO	2004/072242	A2	Millennium Pharmaceuticals, Inc.	08-26-2004	965 Molecule, SEQ ID 63 & 64, pp. 1-12, 34-35, 42-158, Seq Listing pp. 116-129	
	BC	WO	02/068579	A2	PE Corporation	09-06-2002	SEQ ID 8763, Entire document	

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<sup>1</sup>Unique citation design number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (10-96)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO		MAY 04 2005		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/772,636
				Filing Date	February 5, 2004
				First Named Inventor	Louise M. Kelly, et al.
				Group Art Unit	1646
				Examiner Name	Howard, Zachary C.
				Attorney Docket Number	MPI03-015PIRNOMNIM
Sheet	1	of	3		

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>2</sup>
	CA	ADACHI, Masaaki, et al., "Protein-Tyrosine Phosphatase Expression in Pre-B Cell NALM-6 <sup>1</sup> ", <i>Cancer Research</i> , Vol. 52, (February 1, 1992), pp. 737-740.	
	CB	KITAMURA, Takaya, et al., "Gene Expressions of Protein Tyrosine Phosphatases in Regenerating Rat Liver and Rat Ascites Hepatoma Cells," <i>Japanese Journal of Cancer Research</i> , Vol. 86, (September 1995), pp. 811-818.	
	CC	KATSURA, Hideki, et al., "Two Closely Related Receptor-Type Tyrosine Phosphatases Are Differentially Expressed During Rat Lung Development," <i>Developmental Dynamics</i> , Vol. 204, (1995), pp. 89-97.	
	CD	SHOCK, Lisa P., et al., "Protein Tyrosine Phosphatases Expressed in Developing Brain and Retinal Muller Glia," <i>Molecular Brain Research</i> , Vol. 28, (1995), pp. 110-116.	
	CE	PULIDO, Rafael, et al., "Molecular Characterization of the Human Transmembrane Protein-Tyrosine Phosphatase $\delta$ ," <i>The Journal of Biological Chemistry</i> , Vol. 270, No. 12, (March 24, 1995), pp. 6722-6728.	
	CF	PULIDO, Rafael, et al., "The LAR/PTP $\delta$ /PTP $\sigma$ Subfamily of Transmembrane Protein-Tyrosine-Phosphatases: Multiple Human LAR, PTP $\delta$ , and PTP $\sigma$ Isoforms are Expressed in a Tissue-Specific Manner and Associate with the LAR-Interacting Protein LIP.1," <i>Proceedings of the National Academy of Science</i> , Vol. 92, (December 1995), pp. 11686-11690.	
	CG	MIZUNO, Kazuya, et al., "MPTP $\delta$ , a Putative Murine Homolog of HPTP $\delta$ , Is Expressed in Specialized Regions of the Brain and in the B-Cell Lineage," <i>Molecular and Cellular Biology</i> , (September 1993), pp. 5513-5523.	
	CH	UETANI, Noriko, et al., "Impaired Learning with Enhanced Hippocampal Long-Term Potentiation in PTP $\delta$ -Deficient Mice," <i>The EMBO Journal</i> , Vol. 19, No. 12, (2000), pp. 2775-2785.	
	CI	GOLDSTEIN, B.J., "Rat Leukocyte Common Antigen-Related Phosphatase (LAR-PTP2) mRNA, complete cds," August 5, 1994 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> >. GenBank Accession No. L11587.	

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Sheet	2	of	3		

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Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>2</sup>	
	CJ	YAKURA, H., et al., "Mouse cDNA Encoding Receptor-Type Tyrosine Phosphatase Delta," September 29, 1997 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. E09890.		
	CK	JOHNSON, K.G., et al., "Xenopus Laevis Receptor Protein Tyrosine Phosphatase Delta (XPTP-D) mRNA, complete cds," March 21, 2000 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AF197944.		
	CL	FEHR, C., et al., "Mus Musculus DBA/2J Protein Tyrosine Phosphatase, Receptor Type, Delta A (Ptpd) mRNA, complete cds," June 26, 2002 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AF326560.		
	CM	FEHR, C., et al., "Mus Musculus C57BL/6J Protein Tyrosine Phosphatase, Receptor Type, Delta A (Ptpd) mRNA, complete cds," June 26, 2002 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AF326559.		
	CN	SAITO, H., "Human HPTP Delta mRNA for Protein Tyrosine Phosphatase Delta," created September 19, 1995 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. X54133.		
	CO	PULIDO, R., et al., "Homo Sapiens Protein Tyrosine Phosphatase Delta mRNA, complete cds," April 9, 1995 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. L38929.		
	CP	COCKS, B.G., et al., "Sequence 1473 From Patent US 6607879," December 18, 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 28, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AR380928. Patent US 6607879 submitted herewith as Cite No. AA.		
	CQ	VENTER, C.J., et al., "Sequence 8763 from Patent WO 02068579," February 3, 2004 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 28, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. CQ722829. Patent WO 02068579 submitted herewith as Cite No. BC.		
	CR	PULIDO, R., et al., "Receptor-Type Tyrosine-Protein Phosphatase Delta Precursor (Protein-Tyrosine Phosphatase Delta) (R-PTP-Delta)," created November 1, 1991 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. P23468.		

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Sheet	3	of	3		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
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	CS	MIZUNO, K., et al., "Protein-Tyrosine-Phosphatase (EC 3.1.3.48), Receptor Type Delta, Splice Form B Precursor - Mouse," February 12, 1999 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. C54689.	
	CT	MIZUNO, K., et al., "Protein-Tyrosine-Phosphatase (EC 3.1.3.48), Receptor Type Delta, Splice Form D Precursor - Mouse," September 10, 1999 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. D54689.	
	CU	YAN, H., et al., "Protein-Tyrosine-Phosphatase (EC 3.1.3.48), Type Sigma Precursor - Rat," July 23, 1999 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 27, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. S46217.	

Examiner Signature		Date Considered	

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